

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

DAVID AND SHERYL BOSTWICK

PLAINTIFFS

VS.

CIVIL ACTION NO. 1:07cv 942-LTS-RHW

STATE FARM FIRE AND CASUALTY COMPANY

DEFENDANT

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

INTERVENOR

AGREED ORDER TO DISBURSE FUNDS

The Court, having been informed that Mortgage Electronic Registration Systems, Inc. and David and Sheryl Bostwick, through their undersigned counsel, have entered into an agreement regarding the Motions to Disburse and claim of Intervenor pending before the Court.

The Court specifically finds:

1.

Plaintiffs David and Sheryl Bostwick entered into a Settlement Agreement with Defendant, State Farm Fire and Casualty Company, in the above captioned matter. Subsequently, the sum of \$35,000.00, representing full payment of the settlement, was paid into the Registry of the Court and held by the Clerk of the United States District Court, Southern District of Mississippi.

2.

Counsel for Plaintiffs, George W. Healy, IV, filed a Motion to Disburse Funds and a Motion to Disburse Costs herein. Mortgage Electronic Registration Systems, Inc., as Intervenor in this matter, had no objection to payment of these funds to counsel for Plaintiffs. Per the terms of the deed of trust executed by the Plaintiffs, which encumbered the subject property, the remaining settlement funds should be paid over to Mortgage Electronic Registration Systems, Inc. Plaintiffs have responded with a letter to their counsel, indicating they have no objection to disbursement of the remaining settlement funds to Countrywide Home Loans Servicing, LP, as servicer for MERS. A copy of this letter is attached hereto as Exhibit A.

3.

Pursuant to the [101] Order of this Court, the parties agree that the sum of \$20,047.81 shall be disbursed to counsel for Plaintiffs, representing his attorney's fees and costs in this matter, and that the balance of the settlement funds in the amount of \$14,952.19 shall be paid to Mortgage Electronic Registration System, Inc. These funds may be sent to counsel for MERS, for forwarding to its client.

IT IS, THEREFORE, ORDERED that the Clerk of the United States District Court, Southern District of Mississippi, is authorized and directed to pay to George W. Healy, IV, the sum of \$20,047.81 out of the Registry of the Court, representing his attorney's fees and costs due to representation of Plaintiffs in this matter.

IT IS FURTHER ORDERED that the Clerk of the United States District Court, Southern District of Mississippi, is authorized and directed to pay the balance of the funds held in the Registry of the Court (\$14,952.19) via check payable to Mortgage Electronic Registration Systems, Inc. The Clerk may send this check to Morris & Associates as counsel for Mortgage Electronic Registration Systems, Inc., at 2309 Oliver Road, Monroe, LA 71201. Morris & Associates shall be responsible for forwarding the funds to its client.

SO ORDERED this 28th day of April, 2009.

s/ L. T. Senter, Jr.
L. T. SENTER, JR.
SENIOR JUDGE

Approved:

s/ John C. Morris, III
Morris & Associates
Attorney for MERS
2309 Oliver Road
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318-340-7600 (fax)

s/ George W. Healy, IV
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